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**From:** Tarbutton, J. Scott [STarbutton@cozen.com]  
**Sent:** Wednesday, October 05, 2005 9:32 AM  
**To:** Barry Coburn  
**Subject:** Asat Trust

Barry,

Thank you for your e-mail the other day. I am attaching a proposed stipulation for Asat Trust; it is a standard stipulation that the plaintiffs have entered into with other defendants similar to your client. I have tentatively scheduled your motion to dismiss for December 2. Please review and let me know if you have any comments. I am still trying to determine the exact number of plaintiffs' cases that have named Asat Trust as a defendant. I should have that information by the end of the day today and can make the appropriate edits to the stip.

Please also note that in my role as Plaintiffs Liaison Counsel, I cannot sign off on the proposed stipulation without final approval from all interested plaintiffs.

Regards,

Scott

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
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*This document relates to:*

*Federal Insurance Co., et al. v. Al Qaida, et al.*, Case No. 03-CV-6978 (S.D.N.Y.)  
*Kathleen Ashton, et al v. Al Qaeda Islamic Army, et al.* Case No. 1:02-6977 (S.D.N.Y.)  
*Cantor Fitzgerald & Co., et al. v. Akida Bank Private., Ltd., et al.*, Case No. 04-CV-7065 (S.D.N.Y.)  
*Continental Casualty Co., et al. v. Al Qaeda Islamic Army, et al.*, Case No. 04-CV-05970-UA (S.D.N.Y.)  
*Euro Brokers, Inc., et al. v. Al Baraka Investment and Development Corp., et al.*, Case No. 04-CV-07279-UA (S.D.N.Y.)  
*New York Marine and General Insurance Co. v. Al Qaida, et al.*, Case No. 04-CV-6105 (S.D.N.Y.)  
*World Trade Center Properties, LLC, et al. v. Al Baraka Investment and Development Corporation, et al.*, Case No. 04-CV-7280 (S.D.N.Y.)

**STIPULATION AS TO SERVICE OF PROCESS AND BRIEFING SCHEDULE FOR  
ASAT TRUST TO RESPOND TO COMPLAINTS CONSOLIDATED UNDER MDL 1570**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs in all of the above-referenced cases consolidated under 03 MDL 1570 and Defendant Asat Trust, by and through their undersigned counsel, that the undersigned Defendant hereby agrees that it was served with the Complaint in each of the cases referenced above as a result of the publication of the Legal Notice of Suit in the USA Today, International Herald Tribune and Al Quds Al Arabi newspapers, which was authorized by Judge Richard C. Casey's Order dated September 15, 2004.

IT IS FURTHER HEREBY STIPULATED AND AGREED that Plaintiffs pursuing claims for relief under the Racketeer Influenced and Corrupt Organizations Act ("RICO") shall serve their respective RICO Statements concerning Asat Trust, on or before November 2, 2005.

IT IS FURTHER HEREBY STIPULATED AND AGREED that Asat Trust shall file a consolidated motion to dismiss the Complaint in each of the cases referenced above on or before December 2, 2005.

IT IS FURTHER HEREBY STIPULATED AND AGREED that the Plaintiffs' consolidated opposition to Asat Trust's motion to dismiss shall be served within sixty days of receipt of same from defendant's counsel, and defendant's counsel shall file reply papers, if any, within thirty days of receipt of Plaintiffs' opposing papers.

IT IS FURTHER HEREBY STIPULATED AND AGREED that Asat Trust hereby waives any and all affirmative defenses, objections, privileges, immunities and arguments relating to service of process in each of the cases referenced above, but preserves any and all other defenses, objections, privileges, immunities and arguments available to it.

Respectfully submitted.

COZEN O'CONNOR

By:

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Sean P. Carter  
J. Scott Tarbutton  
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Philadelphia, PA 19103

*Attorneys for Federal Insurance Plaintiffs  
and Liaison Counsel to Plaintiffs' Executive  
Committee*

TROUT CACHERIS PLLC

By: \_\_\_\_\_

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Washington, D.C. 20036

*Attorneys for Defendant Asat Trust*

**SO ORDERED:**

\_\_\_\_\_  
RICHARD CONWAY CASEY, U.S.D.J.

Dated: \_\_\_\_\_

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